

**ETHICS COMMISSION
CITY AND COUNTY OF HONOLULU**



ADVISORY OPINION NO. 211

This advisory opinion is in response to a request for advice from the Ethics Commission as to whether off-duty police and fire officers may receive unsolicited financial assistance from non-City funding sources to participate in charitable athletic events.

The Commission understands the facts to be as follows:

A local businessperson has inquired about the possibility of his corporation financially sponsoring teams of off-duty police and/or fire officers in the Carole Kai Bed Race and other such charitable athletic events. The Honolulu Police Department presently participates in the Carole Kai Bed Race under the unsolicited sponsorship of First Hawaiian Bank.

The ethical question presented is whether the acceptance of such contributions violates the provisions in the Revised Charter of the City and County of Honolulu 1973 (1984 Ed.) [RCH] pertaining to gifts.

The general rule in relation to this question is found in RCH Section 11-102.1, which states in pertinent part:

No elected or appointed officer or employee shall... [s]olicit or accept any gift, directly or indirectly, whether in the form of money, loan, gratuity, service, thing or promise, or in any other form, **under circumstances in which it can reasonably be inferred that the gift is intended to influence the officer or employee in the performance of such person's official duties** (emphasis added).

The Commission finds that the acceptance of financial sponsorship for teams of off-duty police and fire officers to participate in charitable athletic events is permissible if the contribution is unsolicited. Such sponsorship cannot reasonably be inferred to be intended to influence the officers in the performance of their official duties.

Dated: May 9, 1991

JANE B. FELLMETH
Chair, Ethics Commission